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FM AMEMBASSY DAMASCUS
TO RUEHC/SECSTATE WASHDC PRIORITY 3774
INFO RUEHXK/ARAB ISRAELI COLLECTIVE PRIORITY
RUCNMEM/EU MEMBER STATES COLLECTIVE PRIORITY
RUEHGB/AMEMBASSY BAGHDAD PRIORITY 0484
RUEAIIA/CIA WASHDC PRIORITY
RUMICEA/USCENTCOM INTEL CEN MACDILL AFB FL PRIORITY
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C O N F I D E N T I A L DAMASCUS 000649

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PARIS FOR WALLER; LONDON FOR TSOU

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TAGS: PGOV PHUM PREL SY

SUBJECT: SYRIAN DISSIDENT TO FACE CHARGES DESPITE
PRESIDENTIAL PARDON

REF: A. DAMASCUS 0042

1B. 06 DAMASCUS 2064

Classified By: CDA Michael Corbin, for reasons 1.4 b/d.

11. (SBU) Summary. Several months after being released on bail and then supposedly pardoned, Communist Action Party leader Fateh Jammous appeared in the Criminal Court in Damascus on June 26 to learn that he faces charges of committing, "acts that could threaten the security of the nation." Jammous remains free on bail. The charges apparently stem from Jammous' visit to Europe in the spring of 2006 where he attended meetings, including some with Muslim Brotherhood representatives, and conducted interviews with regional and international media. End Summary.

12. (C) Communist Action Party leader and Alawite, Fateh Jammous, was summoned to appear June 26 in the Criminal Court in Damascus where he learned that he will be charged with committing, &acts that could threaten the security of the nation.⁸ The presiding judge allowed Jammous to remain free on bail. The decision came despite the defense's argument that all charges against Jammous were effectively vacated when he was included in a Presidential amnesty, connected to Eid al-Adha on December 30, 2006 (ref A). Yet, the judge ruled that the State could amend and press the charges against Jammous even for acts supposedly pardoned by the Presidential amnesty. Consequently, Jammous will still have to face trial. The presiding judge stated that the trial will continue on July 17.

13. (C) Background: In the spring of 2006 Jammous visited Europe for approximately two months. During that trip, he met with some Muslim Brotherhood representatives, as well as other Syrian external opposition figures, and agreed to be interviewed by international media such as al-Jazeera and the London based Arab daily al-Quds al-Arabi (ref B). Jammous was arrested immediately upon his return to Syria at Damascus International Airport on April 30, 2006. After five months of incarceration, Jammous was released on bail on October 12 and then pardoned in the Presidential amnesty of December 30, 2006. Jammous spent over 18 years in prison for his opposition political activities before the brief respite he had in 2005-2006. Although still feisty and courageous, Jammous has obviously suffered physically from his long previous imprisonment and is not in good health. In late January, the State quickly amended the charges against Jammous so that the December 2006 amnesty would not apply to Jammous, according to one of his defense lawyers, Sirin al-Khoury.

¶4. (SBU) In contrast to other Court appearances, the presiding judge expressed her displeasure at having western diplomats present in her courtroom. Jammous and his defense team countered that because the hearing was not secret, anyone was free to attend his trial. In addition to poloff, diplomats from the German and the Dutch Embassies were present. Haithem al-Maleh, the prominent human rights lawyer and founder of the Human Rights Association of Syria, was among the human rights lawyers present at the court hearing.

¶5. (C) Comment. The amnesty and the order to rescind its application to Jammous suggests possible internal division over how to best treat Jammous, who like imprisoned regime critic Aref Dalila is Alawite. One theory of an internal divide is supported by the fact that Jammous was the only well-known political prisoner who benefited from the 2006 amnesty. Hardliners may have been able to make a successful case for the newly pressed charges because Jammous had conferred with the outlawed Muslim Brotherhood in London and talked with foreign media about regime shortcomings, both unpardonable crimes in the eyes of the SARG.

CORBIN